

Message Text

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PAGE 01 ALGIER 00364 121243Z POSS DUPE
ACTION NEA-10

INFO OCT-01 ISO-00 L-03 CIAE-00 INR-07 NSAE-00 EB-08
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E.O. 11652: N/A
TAGS: PFOR, AG, US
SUBJECT: USG AND PRIVATE CLAIMS AGAINST GOA

1. DURING FEB. 10 FAREWELL CALL ON SECGEN FOREIGN MINISTRY
BENHABYLES I RAISED QUESTIONS OF US PRIVATE CLAIMS AGAINST
GOA FOR PROPERTY OF AMERICAN CITIZENS NATIONALIZED FOLLOWING
ALGERIAN INDEPENDENCE AND OF GOA SEIZURE OF USG PROPERTY
MUSTAPHA RAIS IN 1964. I SAID ALGERIANS SHOULD REALIZE
THESE ISSUES WILL REMAIN THORN IN HEEL OF OUR RELATIONS
UNTIL RESOLUTIONS ARE REACHED.

2. US PRIVATE CLAIMS: BENHABYLES SAID THAT PRE-INDEPENDENCE
PRIVATE OWNERSHIP OF OF PROPERTY BY FOREIGNERS, WHATEVER
THEIR NATIONALITY, RESULTED FROM EXPLOITATION AND SPOILATION
OF ALGERIA BY FRENCH. ALGERIA NO LONGER A COLONY AND
REPAYMENT NOT POSSIBLE TO THOSE WHO EXPLOITED COUNTRY
DURING COLONIAL PERIOD.

3. MUSTAPHA RAIS: BENHABYLES SAID MY PROPOSAL FOR EXCHANGE
OF PROPERTY IN PLANNED DIPLOMATIC CITY AS COMPENSATION FOR
MUSTAPHA RAIS WAS IN HANDS OF DR. AMIR AT PRESIDENCY WHO
ORGANIZING PROJECT. I SAID THAT, FYI, PRESIDENT BOUMEDIENE HAD
TOLD ME NIGHT BEFORE IT MATTER FOR FOREIGN MINISTRY. BENHABYLES
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EXPRESSED SOME SURPRISE, BUT ASSURED ME THAT THERE WAS NO
PROBLEM OF PRINCIPLE AND THAT EXCHANGE IDEA APPEARED
REASONABLE TO HIM. ONLY PROBLEM HE SAW WAS THAT PLANNING
FOR DIPLOMATIC CITY NOT FAR ENOUGH ADVANCED FOR ALGERIANS
TO GO INTO DETAILS. ABERKANE, DIRECTOR EUROPEAN AND NORTH
AMERICAN AFFAIRS WHO ATTENDED MEETING, ECHOED THEME THAT
GOA SIMPLY NOT YET BUREAUCRATICALLY PREPARED TO ENTER INTO

DISCUSSIONS ON ISSUE.

4. COMMENT: I THANK GOD THIS IS LAST TIME I WILL HAVE TO GO TO BAT ON THESE TWO ISSUES, AND LEAVE THEM TO MY SUCCESSOR WITH ALL BEST WISHES. WE SEEM TO BE MAKING PROGRESS ON THE MUSTAFA RAIS QUESTION AND IF WE KEEP AT IT SHOULD EVENTUALLY GET SOMETHING IN EXCHANGE. THE PRIVATE CLAIMS MATTERS IS MUCH MORE COMPLICATED. ON THE BASIS OF ALMOST TWO AND A HALF YEARS OF EXPOSURE TO THE ALGERIANS I CAN CONFIDENTLY SAID THAT THEY WILL NOT PAY THOSE CLAIMS BEFORE HELL FREEZES OVER. THAT IS, THEY WILL NOT PAY THEM DIRECTLY. SOME INDIRECT MEANS MUST BE FOUND FOR DOING SO. TO DATE THE PROPOSED FREE LNG SHIPMENT IS THE ONLY SUGGESTION WHICH LOOKS AT ALL POSSIBLE.

5. I REALIZE THAT THE ALGERIAN POSITION HAS NO WEIGHT IN THE UNITED STATES OR EVEN INTERNATIONAL LAW, BUT THE LAWYERS WOULD DO WELL TO READ WHAT DE TOCQUEVILLE AND DUMAS HAD TO SAY 100 YEARS AGO ABOUT THE FRENCH POLICIES OF LAND EX-PROPRIATION HERE. THE FRENCH PAID NO INDEMNITY TO THE ALGERIANS FOR THE LOSS OF THEIR LIVES AND PATRIMONY. THE ALGERIANS IN TURN ARE NOT GOING TO PAY ANY TO THE FRENCH, OR TO ANYONE ELSE WHO CAME HERE UNDER THEIR AEGIS.PARKER

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